

06/09/97 THE U.S. PATENT AND TRADEMARK OFFICE

Inventors: Lawrence Tamarkin and  
Giulio F. Paciotti

Docket No. 02811-0023

Serial No. 08/795,962

Filed: February 5, 1997

For: COMPOSITIONS AND METHODS FOR REDUCING TOXICITY  
OF BIOLOGICALLY-ACTIVE FACTORS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Transmitted herewith for filing are:

☒ Copy of Notice to File Missing Parts of Application — Filing Date Granted

The filing fee has been calculated as shown below:

SMALL ENTITY					OTHER THAN SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385		
TOTAL CLAIMS	15 - 20 =	0	x11 =		x22 =	
INDEP. CLAIMS	3 - 3 =	0	x38 =		x76 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+120 =		+240 =	
<input checked="" type="checkbox"/> LATE-FILING SURCHARGE			+65 =	65	+130 =	
<input type="checkbox"/> FOREIGN LANGUAGE SURCHARGE			+130 =		+130 =	
			TOTAL	\$ 450	TOTAL	

☒ Two checks totalling \$450.00 to cover the filing fee are enclosed (one for \$385 and one for \$65).

☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment to Account No. 10-1215. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, on June 6, 1997.

Mary Anthony Merchant - Reg. No. - 39,771

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By:   
Mary Anthony Merchant  
Reg. No. - 39,771

07/03/1997 MGORDON 00000033 08795962  
01 FC:201 385.00 OP  
02 FC:205 65.00 OP

**Request for File Wrapper Continuing Application Under 37 C.F.R. 1.62**

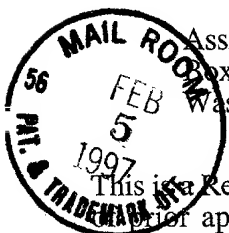
*H/J/WC  
No Fee*

Docket No.:  01994-0023	Anticipated Classification of this Application Class: 424 Subclass:	Prior Application Examiner  J. Shaver	Art Unit
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Address to:

Assistant Commissioner for Patents  
Box FWC  
Washington, DC 20231

65371 U.S. PTO  
08/795962  
02/05/97



This is a Request for filing a ☐ continuation-in-part ☒ continuation ☐ divisional application under 37 CFR 1.62 for application Application No. 08/586,427 filed on January 16, 1996, entitled COMPOSITION AND METHOD FOR REDUCING TOXICITY OF BIOLOGICALLY-ACTIVE FACTORS by the following named inventor(s):

Full Name of Inventor	Family Name Tamarkin	First Given Name Lawrence	Second Given Name
Residence & Citizenship	City Rockville	State or Foreign Country Maryland 20854	Country of Citizenship United States of America
Post Office Address	Post Office Address 1055 Pipestem Place	City Rockville	State & Zip Code/Country MD 20854
Full Name of Inventor	Family Name Paciotti	First Given Name Giulio	Second Given Name Franco
Residence & Citizenship	City Baltimore	State or Foreign Country Maryland 21227	Country of Citizenship United States of America
Post Office Address	Post Office Address 6714 Potomac Hunt Court	City Baltimore	State & Zip Code/Country MD 21227

FOR TO GRP

☐ See Addendum for other Joint Inventor(s).

The above identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☐ Enter the amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 but unentered in the prior application.
- ☐ A preliminary amendment is enclosed.

**Express Mail Mailing Label Number EM545259434US**

3. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2.

SMALL ENTITY				OTHER THAN SMALL ENTITY		
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385		\$770
TOTAL CLAIMS	15 - 20 =	0	x11 =		x22 =	
INDEP. CLAIMS	3 - 3 =	0	x40 =		x80 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+130 =		+260 =	
TOTAL					TOTAL	

4. ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
5. ☐ A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
6. ☒ Amend the specification by inserting before the first line the sentence: --This is a ☐ continuation-in-part ☒ continuation ☐ division of Application No. 08/586,427 filed January 16, 1996, now abandoned.--
7. ☒ A verified statement claiming small entity status is ☒ of record in the parent application, ☐ submitted herewith.

☐ Priority of foreign application No. \_\_\_\_\_ filed on \_\_\_\_\_ in [country]\_\_\_\_\_ is claimed under 35 USC 119(a)-(d).

☒ The prior application is assigned of record to **Assay Research Inc.**

☒ **POWER OF ATTORNEY:** Power of Attorney in the prior application is to: Anthony B. Askew - 24,154; Roger T. Frost - 22,176; Jeffrey E. Young - 28,490; Robert E. Richards - 29,105; John R. Harris - 30,388; Stephen M. Schaezel - 31,418; Larry A. Roberts - 31,871; Thomas A. Hodge - 22,602; Charles L. Warner II - 32,320; Gregory T. Gronholm - 32,415; Dale Lischer - 28,438; Peter G. Pappas - 33,205; James Dean Johnson - 31,771; Nora M. Tocups - 35,717; W. Scott Petty - 35,645; Daniel J. Warren - 34,272; Larry W. Stults - 34,025; Hubert J. Barnhardt III - 36,739; Virginia L. Carron - 37,110; Leona G. Young - 37,266.

☒ Copy enclosed: A "PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136" is being filed simultaneously herewith (February 6, 1997) in the parent application Serial No. 08/586,427, filed January 16, 1996.

Address all future correspondence to: Larry W. Stults, Ph.D.  
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404/818-3700

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

ATTORNEY OF RECORD

Date: 02-06-97

By: Larry W. Stults, Ph.D.

Reg. No. 34,025